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China, Peoples Republic of

Food and Agricultural Import Regulations and Standards

Country Report - Mandatory Update

2005

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Report Highlights:

This report updates information from the 2005 China Food and Agricultural Import Regulations and Standards Country Report-Mandatory CH5008. It is an index of all agricultural product import regulations and standards translated by the Agricultural Affairs Office at the U.S. Embassy in Beijing. All translations are UNOFFICIAL. Updated sections are marked with an asterisk. Updated sections include: food additive regulations, multiple commodity regulations, commodity specific regulations, and import procedures. New regulations and revised materials are marked in red font with an asterisk.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Beijing [CH1]
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Disclaimer

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Beijing China for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Executive Summary

This report is the *China Food and Agricultural Import Regulations and Standards (FAIRS) Working Index*. It is a working index of all regulations and standards pertaining to food and agricultural imports that have been translated by the Agricultural Affairs Office of the U.S. Embassy in Beijing.

Each regulation and standard is now contained in a separate report on the GAIN system. These reports can be accessed on the Foreign Agricultural Service web site at "www.fas.usda.gov" under the Attaché Reports section. Readers can search for reports of interest by name or document number (CHXXXX).

Please check the FAS web site periodically for the most current FAIRS Working Index. Changes since the last Working Index are noted with an asterisk "*".

Please note that these translations are UNOFFICIAL and should be used as guidelines only. Exporters are advised to thoroughly discuss all regulatory and implementation details with their PRC customers, and to keep in mind that the Chinese regulatory system is not always predictable. Many regulations are short on detail, and interpretations can differ from port to port and from government ministry to ministry.

The date next to the report is the publication date of the Chinese version that has been translated. For answers to specific questions, U.S. exporters are encouraged to contact any of the FAS offices in China, or the Foreign Agricultural Service in Washington, DC. Contact Information is on the following page.

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I. Food Laws

Food Hygiene Law - CH1042

Translated version: October 30, 1995

WTO Announcement: G/SPS/N/CHN/P/6

This law governs hygiene for all food, food additives, food containers, packaging materials, instruments, equipment, detergents and disinfectants, as well as food production and marketing operations, locations, and facilities. The Public Health Administration of the State Council is the statutory authority responsible for this law.

In addition, these measures establish an application system for the use of transgenic food and food ingredients in food manufacturing or processing along with an evaluation system for transgenic food quality and safety. The measures require transgenic foods and foods made from transgenic materials to be labeled. Finally, the measures introduce a monitoring system for processors or manufacturers of foods using transgenic ingredients or raw materials. The Ministry of Health has not issued the "Implementation Measures for Transgenic Food Hygiene" nor the "Transgenic Food Catalogue."

II. Labeling Requirements

National Standard for the Labeling of Foods - CH1043

Translated version: February 4, 1994

This National Standard (GB7718-1994) governs food labeling for all food related items for sale in China. Labels must be in Chinese and indicate the name brand of the food, ingredients, contents, shelf life, manufacturer or distributor, quality, and industry standards. These articles specify that labels for imported foods must indicate the country of origin and the name and address of the Chinese distributor. This standard adopts 1991 CODEX STAN 1.

DRAFT National Standard for the Labeling of Foods – CH4026

WTO Announcement: G/TBT/N/CHN/33 from November 17, 2003

Translated version: November 17, 2003

China notified its revised DRAFT National Standard of Labeling for Pre-Packaged Food (GB7718). Food labels must be in Chinese and contain information on additives, but stickering is allowed. The manufacturing date and best before date, however, must be indicated on the original packaging. News reports indicate a final version has been approved, but products will receive a grace period to October 1, 2005. Note: the GAIN report is based on the document notified to the WTO and a final approved version is unavailable.

Import-Export Food Labeling Management Regulation - CH1044

Translated version: February 15, 2000

This Regulation applies to the labels of all imported or exported foods. It provides for more stringent verification and inspection for the enforcement of import and export food product labeling. Also, the regulation streamlines previous requirements and provides for greater control over false, counterfeit, or poor quality products. At the national level, China's General Administration for Quality Supervision, Inspection, and Quarantine (AQSIQ) has statutory authority over the inspection of import or export food labels while at the provincial level this responsibility is delegated to the Customs Inspection and Quality (CIQ) offices.

Ag GMO Labeling - Refer to GAIN Report CH2002

WTO Announcement: G/SPS/N/CHN/P/139

Requirements for Ag GMO Labeling are contained within the Agricultural Genetically Modified Organisms Implementation Measures CH2002.

National Standard for Feed Labeling - CH2040

Translated version: August 10, 1999

China's Ministry of Health (MOH) issued National Standard for Feed Labeling (GB10648-1999) is effective from June 1, 2000. This is a revision of the previous National Standard for Feed Labeling issued in 1993. This report includes a preface of the changes along with full text of the new Standard.

National Standard for Special Nutritional Food Labeling - CH1045

Translated version: April 8, 1992

This MOH National Standard (GB13432-1992) refers to and adopts (CAC) CODEX STAN 146-1985 "Standard For the Labeling and Notation of Pre-packaged Special Purpose Foods" announced by the FAO/WHO Food Law Committee. This Standard governs all labeling requirements for foods and materials that are for domestic sale and directed at specific consumers; for example, infants, elderly, etc. The China National Food Industry Standardization Technology Committee proposed this standard. This committee is formed by several ministries and responsible to the State Council.

DRAFT National Standard for Special Nutritional Food Labeling – CH4027

WTO Announcement: G/TBT/N/CHN/34 from November 13, 2003

Translated version: November 13, 2003

China notified its revised DRAFT National Standard of Labeling for Pre-packaged Foods for Special Dietary Use (GB13432). This Standard replaces the previous edition from 1992. News reports indicate a final version has been approved and implementation will begin with a grace period until October 1, 2005. Note: the GAIN report is based on the document notified to the WTO and a final approved version is unavailable.

* **DRAFT National Standard for the Labeling of Prepackaged Alcoholic Beverages – CH5006**

WTO Announcement: G/TBT/N/CHN/72 from January 10, 2005

Translated version: January 10, 2005

China notified its DRAFT National Standard for the Labeling of Prepackaged Alcoholic Beverages (GB10344). This Standard replaces the previous edition from 1989. The Standard applies to alcoholic beverages with alcohol content between 0.5 percent and 60 percent alcohol content by volume; including fermented alcoholic beverages, distilled spirits, blended alcoholic beverages.

* III. Food Additive Regulations

Administration Measures for Food Additive Hygiene - CH2024

WTO Announcement: G/SPS/N/CHN/9 from June 26, 2002

Translated version: March 28, 2002

The amended *Administrative Measures for Food Additive Hygiene* was approved by the MOH executive committee on December 11, 2001 and signed by Minister Zhang WenKang on March 28, 2002 as Decree No. 26. These measures are effective from July 1, 2002, and explain the application procedures for the production, or, new use, of food additives. The measures indicate the application procedures to request a change in the scope or dosage of food additives. The measures address production, marketing, and use of food additives, along with labeling and monitoring requirements. The means for punishing food additive producers, marketers, and users who are not in compliance with food additive regulations are indicated in Chapter Six of these measures.

Food Additive Hygiene Standard - CH1046

Translated version: December 29, 1996

This MOH Standard (GB2760-1996) identifies food additives that are permitted for use. The standard governs the use, extent, and dosage of existing categories of food additives used in China. Food additives not mentioned in this standard and food additives not approved for extension to foods may still be subject to regulation and registration. MOH is the regulatory body with statutory authority over food additives.

Food Additive Hygiene (1997 Supplement) - CH3001

Translated version: March 31, 1997

This MOH Announcement (Wei Ke Jiao Fa 1997 No. 13) complements the Food Additive Hygiene Standard (CH1046) by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (1998 Supplement) - CH3002

Translated version: April 8, 1998

This MOH Announcement (Wei Tong 1998 No. 10) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (1999 Supplement) - CH3003

Translated version: April 23, 1999

This MOH Announcement (Wei Tong 1999 No. 14) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (2000 Supplement) - CH3004

Translated version: May 1, 2000

This MOH Announcement (Wei Tong 2000 No. 1) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (2001 Supplement) - CH3005

Translated version: April 25, 2001

This MOH Announcement (Wei Tong 2001 No. 6) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (2002 Supplement) - CH3006

Translated version: March 18, 2002

This MOH Announcement (Wei Tong 2002 No. 7) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (2003 Supplement) - CH3061

Translated version: March 19, 2003

This MOH Announcement (Wei Tong 2003 No. 4) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

Food Additive Hygiene (2004 Supplement) – CH4019

Translated version: April 12, 2004

This MOH Announcement (Gong Gao 2004 No. 6) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

*** Food Additive Hygiene (2004 Supplement Addendum) – CH4040**

Translated version: August 31, 2004

This MOH Announcement (Gong Gao 2004 No. 16) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

*** Food Additive Hygiene (2004 Supplement Second Addendum) – CH4065**

Translated version: December 7, 2004

This MOH Announcement (Gong Gao 2004 No. 21) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

*** Food Additive Xylitol – CH5007**

WTO Announcement: G/TBT/N/CHN/77 from January 10, 2005

Translated version: January 10, 2005

China announced GB13509 Food Additive Xylitol to the WTO TBT Committee in order to solicit comments from trading partners. Once finalized this Standard will replace the previous edition from 1992. The draft text indicates the Standard adopts the fourth edition of the American Food Chemicals Codex.

*** Food Additive Hygiene (2005 Supplement) – CH5033**

Translated version: April 21, 2005

This MOH Announcement (Gong Gao 2005 No. 2) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

*** Food Additive Hygiene (2005 Supplement Addendum) – CH5041**

Translated version: May 27, 2005

This MOH Announcement (Gong Gao 2005 No. 3) complements the Food Additive Hygiene Standard (CH1046) and all previous supplements by identifying food additives that are permitted for new use, or that have been extended for use to other foods, or allow increased tolerances for foods in China during the time period since the previous supplement.

IV. Pesticide and Other Contaminants

Pesticide and Other Contaminant Residue Limits - CH1047

Translated version: 1999

These limits, specified by MOH, identify pesticide limits that are permitted for use on commodities. Pesticide residue limits that are not specified may be specified in contracts between food or food material buyers and sellers. This list contains the 94 published maximum residue limits. An internal Chinese government memorandum lists a total of 126 pesticide maximum residue limits. This list is not yet published. The 32 remaining pesticides, although not published, are still subject to enforcement. The internal memorandum also provides more specific commodity distinctions.

DRAFT Maximum Residue Limits for Pesticides in Foods – CH4018

WTO Announcement: G/SPS/N/CHN/30 from October 24, 2003

Translated version: October 24, 2003

The report is an UNOFFICIAL translation of the Drafted Maximum Residue Limits for Pesticides in Foods (GBXXXX). No information is available on whether or not the Standard is adopted and therefore, until such time, prior standards cited in the report remain in place.

* V. Multiple Commodity Regulations and Requirements

Major Laws, Measures, Regulations, and Provisions

Law on Import and Export Commodity Inspection - CH2029

Translated version: April 28, 2002

This is an UNOFFICIAL English translation of the amended National Party Congress (NPC) Law for Import and Export Commodity Inspection for the People's Republic of China. This Law provides the general framework of import and export commodity inspection. Chinese national technical standards (GB or GB/T) exist for specific commodities and often detail inspection procedures and requirements. U.S. exporters are encouraged to discuss relevant Chinese national standards with importers prior to shipment to ensure that their interpretation of the regulation is accurate.

Admin. Measures for Sampling Inspection on Import and Export Commodities - CH3013

Translated version: December 31, 2002

AQSIQ (2002) Decree No. 39, the *Administrative Measures for Sampling Inspection on Import and Export Commodities*, was adopted on December 19, 2002 and published on December 31, 2002 for implementation from February 1, 2003. These Measures apply to commodity sampling that is not mandated in other Administrative Measures or Laws.

Animal and Plant Entry and Exit Quarantine Law - CH1051

Translated version: October 30, 1991

WTO Announcement: G/SPS/N/CHN/P/4

This Law (NPC Order Number 53) establishes the general guidelines for the import, export, and transit quarantine for animals, plants and the respective method of transport. The United States and China continue to actively engage one another in bilateral phytosanitary talks and protocols. For specific quarantine problems, contact the USDA's Animal and Plant Health Inspection Service Office in Beijing. AQSIQ acting for the State Council (SC) has statutory authority over this Law.

Implementation Regulations for Animal and Plant Entry and Exit Quarantine Law - CH3110

Translated version: December 2, 1996

WTO Announcement: G/SPS/N/CHN/P/5

The Implementation Regulations were published and announced in SC Decree No. 206 for Implementation from January 1, 1997. The regulations provided the implementation details for the Animal and Plant Entry and Exit Law (NPC Order No. 53).

Administrative Measures for Review and Approval of Entry Animal and Plant Quarantine Law - CH2039

Translated version: August 1, 2002

AOSIQ 2002 Decree No. 25 "Administrative Measures for Review and Approval of Entry Animal and Plant Quarantine" was issued on August 1, 2002. The regulation, effective from September 1, 2002, regulates the application procedure for Entry Animal and Plant Quarantine permits along with the final use of such permits. The Measures also regulate AOSIQ's review and approval process for Entry Animal and Plant Quarantine.

Items on Handling Review and Approval of Entry Animal and Plant Quarantine – CH4020

Translated version: June 16, 2004

AOSIQ 2004 Announcement 73 "Items on Handling the Review and Approval of Entry Animal and Plant Quarantine" provides revised information to the Administrative Measures (CH2039) mentioned above. The announcement is scheduled for implementation from July 1, 2004. The information has not been reported to the WTO.

* **Lifting of Quarantine Import Permit Requirement for Certain Products – CH4041**

Translated version: August 31, 2004

AOSIQ 2004 Announcement 111 eliminated importers requirements to apply for a Quarantine Import Permit (QIP) for specified animal and plant commodities before contracts are signed and products are imported into China. The animal and plant products, however, are still subject to quarantine examination upon arrival in China. The report contains an UNOFFICIAL translation of the announcement along with the list of designated commodities no longer requiring a QIP.

Regulation on Import Risk Analysis for Animals and Animal Products - CH3014

WTO Announcement: G/SPS/N/CHN/18 from June 13, 2003

Translated version: December 31, 2002

AOSIQ 2002 Decree No. 40, the *Provisions for the Administration of Risk Analysis on Entry Animals and Animal Products*, was adopted on October 18, 2002 and approved on December 31, 2002 for implementation from February 1, 2003.

Regulation on Entry Animal Genetic Material Quarantine - CH3111

WTO Announcement: G/SPS/N/CHN/19 from June 13, 2003

Translated version: May 14, 2003

AOSIQ 2003 Decree No. 47, the *Regulation on Entering Animal Genetic Material Quarantine*, was adopted on April 3, 2003 and approved on May 14, 2003 for implementation from July 1, 2003.

Regulation on the Pest Risk Analysis of Plants and Plant Products for Port Entry - CH3015

WTO Announcement: G/SPS/N/CHN/20 from June 17, 2003

Translated version: December 31, 2002

AOSIQ 2002 Decree No. 41, the *Provisions for the Administration of Risk Analysis on Entry Plant and Plant Products*, was adopted on December 19, 2002 and approved on December 31, 2002 for implementation from February 1, 2003.

Consumer Protection Law - CH1055

Translated version: January 1, 1994

UNOFFICIAL English language text of the Consumer Protection Law for the People's Republic of China can be found at the web site: "<http://www.qis.net/chinalaw>". The law was adopted by the NPC in October 1993 and implemented January 1, 1994. The law guarantees consumers rights', details business operators' obligations and legal responsibilities, and outlines procedures for dispute resolution.

Registration Management Regulations for Foreign Manufacturers of Imported Food - CH2016

Translated version: 14 March 2002

AOSIQ 2002 Decree No. 16 provides for the regulation to monitor foreign manufacturers of food products exported to China. The appendix of this report includes the *Catalog of Imported Food Subject to Enterprise Registration*. At this time, only meat and meat by-products are included in this catalog. This regulation replaces China's previous *Registration Management Regulations on Foreign Manufacturers of Imported Food* (trial version) that was issued on 30 December 1999.

Admin. Rules for Agent Completed Applications for Import and Export Inspection and Quarantine - CH3020

Translated version: November 6, 2002

AQSIQ 2002 Announcement No. 33, *Administrative Rules for Agent Completed Applications for Import and Export Inspection and Quarantine*, was published on the AQSIQ website on November 6, 2002 for enforcement from January 1, 2003. This report provides guidelines and requirements for individuals that intend to become importing and exporting agents.

Admin. Rules for Agency/Business Enterprise Completed Applications for Import and Export Inspection and Quarantine - CH3021

Translated version: November 6, 2002

AQSIQ 2002 Announcement Number 34, *The Administrative Rules on Agencies Applying for Import and Export Inspection and Quarantine*, was published on the AQSIQ website on November 6, 2002 for enforcement from January 1, 2003. The "Rules" were published in Issue 17 of the China Foreign Trade and Economic Cooperation Gazette on March 18, 2003, also. The Announcement provides guidelines and requirements for agencies/business enterprises that use agents for importing and exporting commodities.

*** Bonded Trade Commodity Import Ban – CH4056**

Translated version: October 29, 2004

The Ministry of Commerce, State Environmental Protection Administration, and the General Administration of Customs jointly issued 2004 Announcement Number 55. The report contains an UNOFFICIAL translation of Announcement 55, an annually published update of items banned for processing trade, and the internet links to the appendix of items banned from processing trade; including certain poultry products, planting seeds, animal feeds, and ginseng.

*** Administrative Measures for Metrological Supervision on Prepackaged Commodities – CH5002**

WTO Announcement: G/TBT/N/CHN/63

Translated version: December 13, 2004

This regulation provides legal metrological requirements for prepackaged commodities that are measured by weight, volume, length, area, and numeral with proposed adoption scheduled for March 2005. Bulk commodities such as wheat and soybeans are not covered by this regulation but regulated by contracts. Unpackaged foods in small quantities and gold/silver ornaments are governed by Administrative Measures for Metrological Supervision on Retail Commodities (see GAIN report CH4071).

*** AQSIQ Decree 66 Administrative Measures for Metrological Supervision on Retail Commodities – CH4071**

Translated version: August 10, 2004

These Measures, with a scheduled implementation date of December 1, 2004, regulate unpackaged retail food commodities as well as gold/silver ornaments that are measured by weight and it is a restatement of an existing law published in 1993.

*** Administrative Measures for Certification of Organic Products – CH5012**

Translated version: January 14, 2005

These Measures, which take effect as of April 1, 2005, govern certification procedures of organic products as well as production, processing, marketing, and labeling of organic products grown in China as well as imported products. Additionally, the legislation regulates activities of organic product certification agencies.

*** Implementation Rules for Organic Product Certification – CH5049**

Translated version: June 2, 2005

This is an UNOFFICIAL translation of the Implementation Rules for Organic Product Certification published by the Certification and Accreditation Administration of China (CNCA), which take immediate effect.

These rules stipulate certification fee collection, procedures of approval, suspension, and cancellation of certification, requirements about organic labeling, and dispute settlement procedures. Certification bodies use these rules and national standards for organic products (GB/T 19630–2005) when certifying organic products being marketed in China. Imported organic products need to comply with the requirements of organic product certification and standard of China. In other words, imported organic food products should be certified by a Chinese certification body or an overseas certification body authorized by CNCA.

*** National Standards for Organic Products – CH5054**

Translated version: July 6, 2005

This an UNOFFICIAL translation of the national standards for organic products issued by the Standardization Administration of China (SAC). It consists of four parts, namely production, processing, labeling and marketing, and management system.

SAC and the General Administration on Quality Supervision, Inspection and Quarantine (AQSIQ) jointly issued the National Standards for Organic Products early this year. These recommended standards, along with other regulations about organic product certification (CH5012 and CH5049) regulate the production, processing, labeling and marketing, and management of organic products in China. Imported organic products need to observe these regulations and standards that were put into force on April 1, 2005.

*** Interim Administrative Measures for Health Food Registration – CH5050**

Translated version: April 30, 2005

This is an UNOFFICIAL translation of Decree 19 the Interim Administrative Measures for Health Food Registration published by the State Food and Drug Administration (SFDA). These measures go into effect on July 1, 2005.

These measures stipulate that SFDA and its subsidiaries are responsible for assessment and review of food safety, effectiveness, quality control, and content of labeling before a health food is registered.

*** Tariff Rate Quota (TRQ) Rules, Regulations, and Reports**

TRQ Administration Interim Rules and Regulations - CH2007

Translated version: 30 January 2002

The report is an UNOFFICIAL translation of China's Interim Rules and Regulations for Agricultural Imports Tariff Rate Quota (TRQ) Administration as authored by the State Development and Planning Commission (SDPC). This document also contains four appendices. The first appendix lists the authorizing agencies approved by the SDPC. The second and third appendix are Certificate A and B (application forms for two categories of trade). The final appendix is the Notice on Tariff Quota Allocation for Agricultural Products. These Rules and Regulations are effective from 5 February 2002.

Revised TRQ Interim Rules and Regulations for Agricultural Imports – CH3128

Translated version: 27 September 2003

The report is an UNOFFICIAL translation of the revised Interim Rules and Regulations for Agricultural Imports Tariff Rate Quota referred to in CH2007 as issued by the Ministry of Commerce and the State Development and Reform Commission.

TRQ Allocation Implementation Measures for 2002 Agricultural Products - CH2008

Translated version: 7 February 2002

The report is an UNOFFICIAL translation of China's Implementation Measures for Tariff Rate Quota. This document describes the amount, application requirements, and allocation principles for wheat, corn, rice, palm oil, soybean oil, rapeseed oil, sugar, cotton, sheep wool and wool tops agricultural products for 2002. This measure was formulated in accordance with the Interim Rules and Regulations for Agricultural Products (CH2007). The appendix to this document describes the information that is requested for on the Application Form for A Type TRQ Agricultural Commodity Imports. These measures were announced on 7 February 2002 and effective from 10 February 2002.

TRQ Re-Allocation Notice - CH2041

Translated version: 9 August 2002

The report is an UNOFFICIAL translation of China's State Development and Planning Committee Notice on Import Tariff Rate Quotas for Major Agricultural Products (wheat, corn, rice, soy oil, rapeseed oil, palm oil, sugar and cotton). The Notice was issued on August 9 and provides information on how unused TRQ's should be returned by state and non-state importers and how new quotas will be allocated for the remainder of the calendar year.

TRQ Implementation Measures for 2003 Agricultural Products - CH2050

Translated version: 15 October 2002

Mandated by China's WTO accession, the TRQ's permit imports of specified commodities at negligible duties, and also require that a certain percentage of the allocation be reserved for non-State Owned Enterprises (SOE's). Both quantity and non-SOE share are fixed in the accession agreement document. Other than readjustment of the quantities in line with the Accession Agreement, the biggest change is the addition of a separate application form for quota for re-export.

TRQ Implementation Measures of 2004 TRQ Allocation for Grains and Cotton – CH3129

Translated version: 30 September 2003

The State Development and Reform Commission issued the Implementation Measures as part of its WTO accession commitment. This UNOFFICIAL translation includes TRQ allocation volumes, along with the percentages designated for state trading firms, and an appendix, a sample form for the Agricultural Product Import TRQ Certificate.

TRQ Implementation Measures of 2004 TRQ Allocation for Oils and Sugar – CH3130

Translated version: 28 September 2003

The Ministry of Commerce (MOC) issued the Implementation Measures of 2004 TRQ Allocation for Palm Oil, Soybean Oil, Rapeseed Oil, and Sugar. This UNOFFICIAL translation includes allocation volumes, information on amounts designated for state trading, and information on product classification and a sample application for Agricultural Product Import TRQ Certificate.

* TRQ Reallocation Notice for 2004 TRQ of Grains, Oils, Sugar, and Cotton – CH4037

Translated version: 11 August 2004

The MOC and National Development and Reform Commission (NDRC) jointly issued 2004 Announcement No. 50 "Announcement on Reallocation of 2004 TRQs." The document provides instructions to end-users/holders of TRQs for wheat, corn, rice, soy oil, palm oil, rapeseed oil, sugar, and cotton.

* TRQ Implementation Measures for 2005 TRQ of Grain and Cotton – CH4051

Translated version: 30 September 2004

The NDRC issued the Implementation Measures of 2005 TRQ Allocation for Grains and Cotton. The TRQs have reached their final quantity levels as negotiated in China's WTO Accession Agreement. The UNOFFICIAL translation includes TRQ allocation volumes, along with the percentages designated for state trading firms, and an appendix, a sample form for the Agricultural Product Import TRQ Certificate.

* TRQ Implementation Measures for 2005 TRQ of Oils and Sugar – CH4052

Translated version: 29 September 2004

The MOC issued the Implementation Measures of 2005 TRQ Allocation for Oils and Sugar. According to its WTO Accession Agreement obligation, China's TRQs for palm oil, soybean oil, and rapeseed oil reach their final quantities in 2005. China reduced the state trading allocation share. While allocation measures in 2005 remain basically unchanged, requirements are added to existing and new TRQ applicants.

* TRQ Implementation Measures for 2005 TRQ of Wool and Wool Tops – CH4053

Translated version: 29 September 2004

The MOC issued the Implementation Measures for 2005 TRQs of Wool and Wool Tops. The TRQ rates reached their WTO obligated phase-in levels in 2004. This report contains an UNOFFICIAL translation of the measures along with a copy of the application form.

Transgenic Agricultural Product Rules, Regulations, and Measures

Ag. GMO Safety Administration Regulation - CH1056

Translated version: June 6, 2001

WTO Announcement: G/SPS/N/CHN/P/136

The scope of this regulation, by the State Council, specifies the management, production, distribution, and use of genetically modified organisms (GMOs) in agriculture. The regulation requires Safety Certification and labeling for all types of domestic or imported GMOs. Text in the regulation is vague and does not provide direction for several procedural measures. The implementation measures are in CH2002. The Agriculture Administrative Department of the State Council has statutory authority over this regulation. This department is comprised from representatives from several of China's ministries.

Ag. GMO Implementation Measures - CH2002

Translated version: January 7, 2002

WTO Announcements: G/SPS/N/CHN/P/137, G/SPS/N/CHN/P/138, G/SPS/N/CHN/P/139

This document from the Ministry of Agriculture (MOA) contains three (3) measures: 1. Measures for Ag GMOs Safety Evaluation Administration. 2. Measures for Ag GMOs Imports. 3. Measures for Ag GMO Labeling. GMO measures will be implemented mainly by the Ministry of Agriculture. All measures will be effective from March 20, 2002.

Ag. GMO Circular 190: Management Procedures on Interim Measures for Imported Ag GMO Products - CH2051

Translated version: March 11, 2002

WTO Announcement: G/SPS/N/CHN/P/140

MOA issued this circular that permits overseas companies to apply for a GMO Import Safety Certificate from the MOA Ag GMO Safety Administration Office. The Circular adopted interim measures to allow normal trade to continue during the 270 days while the application were reviewed. These interim measures were set to expire on December 20, 2002. Circular 222 (CH2052) has replaced the Circular 190

Ag. GMO Circular 222: Management Procedures on Interim Measures for Imported Ag GMO Products (Revised) - CH2052

Translated version: October 11, 2002

MOA issued Circular 222 to continue the interim measures until September 30, 2003. The report also provides a copy of the "Application Form for Interim Certificate to Import Ag GMO Product."

Interim GMO Regs Extended - CH3113

Translated version: July 16, 2003

Through a letter to the USDA Ag. Affairs Office, MOA extended the effectiveness of Ag. GMO Circular 222 until April 20, 2004.

AOSIQ Decree 62 Administrative Measures of Inspection and Quarantine on Entry-Exit GM Products - CH4017

WTO Announcement: G/SPS/N/CHN/15 from July 25, 2002 and G/SPS/N/CHN/15/Add.1

Translated version: June 15, 2004

The decree was approved on September 5, 2001 but not signed until May 24, 2004. This is an UNOFFICIAL translation of the decree. The Decree requires importers to declare and label if goods destined to enter China contain transgenic modification.

Maximum Limits for Micronutrients and Chemical Elements in Foods

DRAFTED Maximum Levels of Aflatoxin B1 in Foods - CH3022

WTO Announcement: G/SPS/N/CHN/65 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2761, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Aluminum in Flour Made Foods - CH3025

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB15202, to solicit comments.

DRAFTED Maximum Levels of Arsenic in Foods - CH3026

WTO Announcement: G/SPS/N/CHN/42 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB4810, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Benzo(a)pyrene in Foods - CH3028

WTO Announcement: G/SPS/N/CHN/25 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB7104, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Cadmium in Foods - CH3029

WTO Announcement: G/SPS/N/CHN/27 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB15201, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Chromium in Foods - CH3030

WTO Announcement: G/SPS/N/CHN/28 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14961, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Copper in Foods - CH3031

WTO Announcement: G/SPS/N/CHN/34 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB15199, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Flourine in Foods - CH3033

WTO Announcement: G/SPS/N/CHN/26 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB4809, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Iron in Foods - CH3034

WTO Announcement: G/SPS/N/CHN/33 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB15200, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Lead in Foods – CH3035

WTO Announcement: G/SPS/N/CHN/31 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14935, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Mercury in Foods - CH3036

WTO Announcement: G/SPS/N/CHN/29 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2762, to solicit comments. The

Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of N-Nitrosamines in Foods - CH3037

WTO Announcement: G/SPS/N/CHN/24 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB9677, to solicit comments. The

Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Nitrite in Foods - CH3038

WTO Announcement: G/SPS/N/CHN/37 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB15198, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Rare Earth in Vegetable Foods - CH3041

WTO Announcement: G/SPS/N/CHN/39 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB13107, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Selenium in Foods - CH3042

WTO Announcement: G/SPS/N/CHN/35 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB13105, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Zinc in Foods - CH3043

WTO Announcement: G/SPS/N/CHN/36 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB13106, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

VI. Commodity Specific Regulations or Standards

* **Cotton, Oilseeds, Tobacco, and Planting Seeds**

Hygienic Standard for Peanut Oil – CH4025

WTO Announcement G/TBT/N/CHN/24 from July 28, 2003

Translated version: May 1, 2004

This Standard, GB1534-2003, establishes inspection rules and standards for crude, pressed, and solvent extracted peanut oils. Indications are the Standard is reasonably consistent with Codex Standards, yet is more detailed.

Hygienic Standard for Soybean Oil – CH4022

WTO Announcement G/TBT/N/CHN/25 from July 28, 2003

Translated version: May 1, 2004

This Standard, GB1535-2003, establishes inspection rules and standards for crude, pressed, and solvent extracted soybean oils. Indications are the Standard is reasonably consistent with Codex Standard, yet is more detailed.

* **Hygienic Standard for Rapeseed Oil – CH5003**

WTO Announcement #1: G/TBT/N/CHN/43 from November 13, 2003

WTO Announcement #2: G/SPS/N/CHN/43 from December 23, 2003

Translated version: August 13, 2004

This Standard, GB1536-2004, establishes inspection rules and standards for crude, solvent extracted, and finished product rapeseed oil. The regulation is scheduled to enter into force on February 1, 2005.

* **DRAFTED Hygienic Standard for Edible Vegetable Oil – CH4070**

WTO Announcement G/SPS/N/CHN/51 from February 13, 2004

Translated version: February 13, 2004

This DRAFTED Standard, GB2716, applies to crude and edible vegetable oils. The Chinese SPS office has not published a final version. The WTO announcement indicates the Standard is likely to affect the US, EU, Japan, and Canada.

DRAFTED Hygienic Standard for Edible Hydrogenated Oil - CH3099

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB17402, to solicit comments on the hygienic requirements for hydrogenated oils.

* **DRAFTED Hygienic Standard for Oilseeds – CH4069**

WTO Announcement G/SPS/N/CHN/50 from February 13, 2004

Translated version: February 13, 2004

The DRAFTED Standard, GBXXXX, establishes indices and requirements for oilseeds used to make edible oils. The Chinese SPS office has not indicated when the Standard will be adopted. The WTO announcement indicates the Standard is likely to affect the US, EU, Japan, and Canada.

DRAFTED Hygienic Standard for Edible Soybean Meal - CH3098

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14932.1, to solicit comments.

Seed Law - CH0031

Translated version: July 8, 2000

The Seed Law includes chapters on protection of germplasm, examination of varieties, seed production and management, seed quality, the import and export of seeds and foreign cooperation on seeds. In 2004, China amended two articles of the Seed Law (see CH4063).

Seed Law Implementation Regulations - CH1052

Translated version: February 13, 2001

The Implementation Regulations include five decrees from the Ministry of Agriculture (Decree 44: Measures for the Examination and Approval of Major Crop Varieties, Decree 48: Measures for the Administration of Crop Seed Production License and Management License, Decree 49: Measures for the Labeling of Crop Seeds, Decree 50: Measures for the Processing and Packaging of Seeds, and Decree 51: Measures for the Scope of Major Crops). The Ministry of Agriculture has statutory authority over the Seed Law.

* **Interim Measures for Crop Seed (Seedling) Trade - 4060**

Translated version: March 28, 1997

This report contains an UNOFFICIAL translation of Ministry of Agriculture 1997 Notice No. 14. The Notice provides certain guidelines for seed and seedling trade guidelines, management procedures and other administrative steps that importers and exporters must undertake to trade in planting seeds.

Ministry of Agriculture 2003 Decree No. 30 on Crop Germplasm Resources – CH3122

Translated version: July 8, 2003

The Decree provides management guidelines for the registration, preservation, use, exchange, and trade of seed germplasm in accordance with the Seed Law and Seed Law Implementation Regulations and is scheduled for implementation from October 1, 2003. This Decree annuls the Interim Measures cited in CH4060.

* **China's Accession to 1978 UPOV Convention – CH7023**

Translated version: March 20, 1997

This UNOFFICIAL translation of State Council 1997 Decree 213, joining China to the 1978 version of the Convention to Union of the Protection of New Varieties of Plants, establishes a system of PVP application and Breeders' Rights. The State Council designated both the Ministry of Agriculture and the State Forestry Administration as the responsible parties for creating a plant species eligibility list along with a system of receiving and reviewing applications.

*** New Plant Variety Genera and Species Eligibility List – CH4059**

Translated version: October 14, 2004

This report contains UNOFFICIAL translations of all plant seed and seedling genera eligible for new plant variety protection application with the State Forestry Administration (SFA) and the Ministry of Agriculture (MOA). The report includes: SFA (2004) No. 12, MOA (2003) No. 32, SFA (2002) No. 6, MOA (2002) No. 3, MOA (2001) No. 46, MOA (2000) No. 27, SFA (2000) No. 5, MOA (1999) No. 14, and SFA (1999) No. 2.

*** Planting Seeds New Plant Variety Protection List Updated – CH5048**

Translated version: May 20, 2005

China's Ministry of Agriculture revised the list of plants eligible for new plant variety protection (new PVP) by including 21 additional varieties. The list updates information contained in CH4059. This revised list now includes cotton in the plants eligible for new PVP and represents a breakthrough for several concerned industry sources. The report includes: MOA (2005) No. 51, SFA (2004) No. 12, MOA (2003) No. 32, SFA (2002) No. 6, MOA (2002) No. 3, SFA (2001) No. 46, MOA (2000) No. 27, SFA (2000) No. 5, MOA (1999) No. 14, and SFA (1999) No. 2.

*** Dairy, Livestock, and Poultry**

DRAFTED Hygienic Standard for Cheese - CH3066

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments.

DRAFTED Hygienic Standard for Cream and Sparse Cream (Butter) - CH3115

WTO Announcement: G/SPS/N/CHN/76 from April 21, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Evaporated and Sweetened Condensed Milk - CH3063

WTO Announcement: G/SPS/N/CHN/48 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Lactobacillus Beverages - CH3064

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB16321, to solicit comments.

DRAFTED Hygienic Standard for Milk Powders - CH3060

WTO Announcement: G/SPS/N/CHN/64 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial

Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Milk Beverages - CH3067

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB11673, to solicit comments.

DRAFTED Hygienic Standard for Pasteurized and Sterilized Milk - CH3062

WTO Announcement: G/SPS/N/CHN/63 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Whey Powder - CH3065

WTO Announcement: G/SPS/N/CHN/77 from April 21, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB11674, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Residue Levels of Aflatoxin M1 in Milk and Milk Products - CH3023

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB9676, to solicit comments.

DRAFTED Hygienic Standard for Egg Products - CH3097

Translated version: August 2002

China's Ministry of Health published this DRAFTED Standard, GB2749, to solicit comments.

DRAFTED Hygienic Standard for Canned Meat Products - CH3095

WTO Announcement: G/SPS/N/CHN/61 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB13100, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Cooked Meat Products - CH3082

WTO Announcement: G/SPS/N/CHN/70 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2726, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Cooked and Dried Meat Products - CH3078

WTO Announcement: G/SPS/N/CHN/58 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2729, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Cured Meat Products - CH3083

WTO Announcement: G/SPS/N/CHN/53 from February 13, 2004

GAIN report translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2730, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Edible Animal Fats - CH3096

WTO Announcement: G/SPS/N/CHN/78 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB10146, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Fresh and Frozen Meat of Livestock - CH3086

WTO Announcement: G/SPS/N/CHN/46 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2707, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

Fresh and Frozen Beef Cuts Standard - CH2020

Translated version: March 2, 1998

This Standard (GB/T17238-1998) defines terminology for the classification of fresh and frozen beef cuts. In addition, the standard provides the technical requirements, processing requirements, inspection methodology, inspection rules, grading requirements for beef cuts, and the labeling, packaging, storage and distribution requirements for fresh and frozen beef cuts.

Fresh and Frozen Pork Muscle Cuts Standard - CH2018

Translated version: July 20, 2001

This Standard (GB9959.2-2001) defines terminology for fresh and frozen pork cuts and stipulates the technical requirements for inspection methodology, inspection rules, labeling, packaging, storage and distribution.

Fresh and Frozen Demi-Carcass Pork Standard - CH2019

Translated version: July 20, 2001

This Standard (GB9959.1-2001) defines terminology for fresh and frozen demi-carcass pork and stipulates the technical requirements for grading pork and inspection methodology, inspection rules, labeling, packaging, storage and distribution.

Fresh and Frozen Poultry Product Standard – CH1060

Translated version: December 29, 2000

This Standard (GB16869-2000), implemented on June 1, 2001, details the technical requirements for testing, hygiene, labeling, packaging, and storage requirements for fresh and frozen poultry products.

DRAFTED Fresh and Frozen Poultry Product Standard - CH3052

WTO Announcement: G/TBT/N/CHN/6 from August 9, 2002

Translated version: April 1, 2002

This DRAFT National Standard (GB16869-2002), announced to the WTO, is not yet implemented and the previous version (above) remains in force. The Ministry of Health, which has statutory responsibility for this Standard, published the Standard on April 1, 2002. Amendments to the WTO announcement indicate the Standard was to enter into force on April 1, 2003, however reports indicate the previous version remains in force.

* **China Bans U.S. Poultry and Poultry Products – CH4006**

Translated version: February 10, 2004

WTO Announcement: G/SPS/N/CHN/72

MOA and AQSIQ jointly issued Announcement No. 344 banning imports of all U.S. poultry and poultry products following the detection of low pathogenic H7 avian influenza in the United States. The ban on products in this notification is now lifted for all U.S. poultry except from Connecticut and Rhode Island (see below).

* **China Lifts Ban on Certain U.S. Live Poultry and Poultry Products – CH4057**

Translated version: November 8, 2004

Related to WTO Announcement: G/SPS/N/CHN/72

MOA and AQSIQ jointly issued Announcement No. 422 lifting the ban on U.S. live poultry and poultry products set in place by joint announcement numbers 344 (notified to the WTO in SPS/72), 241, 253, and 269. A ban on poultry products from Connecticut and Rhode Island remains in place as notified in joint announcements No. 257 and 280.

Administrative Measures for Import and Export for Meat Product Inspection and Quarantine - CH2043

Translated version: September 3, 2002

These Measures were issued on September 3, 2002 by AQSIQ. The regulations are effective from October 1, 2002. The Measures regulate the inspection and quarantine of animal products for human consumption. The Measures also contain an Appendix governing the quarantine and inspection of cold storage facilities.

* **DRAFTED Administrative Regulation of Inspection and Quarantine on Entry Meat Products – CH4032 (also CH4016)**

Translated version: May 9, 2004

WTO Announcement: G/SPS/N/CHN/79

China notified AQSIQ Announcement 2004 No. 49 to the WTO on August 6, 2004 with implementation scheduled from November 2004. Sources indicate an extension, however, was granted. The Announcement requires meat products transiting Hong Kong for China to be pre-inspected in Hong Kong by the China Inspection Company along with other requirements for inner package labeling. The report also contains several appendices that indicate the status of countries eligible to ship meat to China, along with several forms and manuals.

Regulation on Animal Origin Feed Products - CH3093

Translated version: March 1, 2001

WTO Announcement: G/SPS/N/CHN/P/72

AQSIQ and the Ministry of Agriculture issued Joint Announcement Number 143 on March 1, 2001. This Announcement regulates the importation of animal and animal products from BSE affected countries.

Regulation on Animal Origin Feed Products - CH2035

Translated version: March 1, 2001

WTO Announcement: G/SPS/N/CHN/P/69

AQSIQ and the Ministry of Agriculture issued Joint Announcement Number 144 on March 1, 2001. This announcement prohibits imports of animal origin feed products from countries or areas known to have BSE or Scrapie. In addition, this announcement requires certain language to be attached to the exporting country sanitary certificate.

*** Fisheries and Forestry Products**

DRAFTED Hygienic Standard for Flavoring from Aquatic Products - CH3045

WTO Announcement: G/SPS/N/CHN/55 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB10133, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Minced Aquatic Products - CH3046

WTO Announcement: G/SPS/N/CHN/67 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB10132, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Canned Fish - CH3044

WTO Announcement: G/SPS/N/CHN/68 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14939, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Dried Aquatic Products of Animal Origin - CH3048

WTO Announcement: G/SPS/N/CHN/56 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB10144, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Fresh and Frozen Seafood Products of Animal Origin - CH3047

WTO Announcement: G/SPS/N/CHN/54 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2733, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Salted Fish - CH3049

WTO Announcement: G/SPS/N/CHN/57 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB10138, to solicit comments.

The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Marine Algae and Algae Products - CH3051

WTO Announcement: G/SPS/N/CHN/47 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Salt and Liquor Saturated Aquatic Products of Animal Origin - CH3050

WTO Announcement: G/SPS/N/CHN/66 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB10136, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Maximum Levels of Polychlorobiphenyls in Seafood - CH3040

WTO Announcement: G/SPS/N/CHN/23 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB9674, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

*** Fisheries Law - CH1053**

Translated version: October 31, 2000

The scope of this Law includes improving the management of China's fishery resources, development of the aquaculture and fishing industry, and enforcement measures over China's fishing and aquaculture resources. Several articles address import and export of fry, fingerling, and the inspection of imported fishing vessels. The Administrative Department for Fisheries under the State Council has statutory authority over this law. In 2004, the National People's Congress amended article 16 of the Law to support fishery development and require new aquatic species development registration.

Admin. Measures for Import and Export Aquatic Products Inspection and Quarantine - CH2061

WTO Announcement: G/SPS/N/CHN/22 from August 28, 2003

Translated version: November 6, 2002

AQSIQ issued (2002) Announcement 31 on November 6, 2002 for implementation from December 2002 (REVISED BY: CH3007, below). The Measures regulate the inspection and quarantine of aquatic products for import and export (including for import and re-export). The Measures also contain 3 appendices that relevant to storage facilities for imported aquatic products, inspection certificates of imported aquatic products, and the packaging of imported aquatic products.

Notice on Imported Aquatic Product Quarantine Certificate - CH3007

Translated version: December 23, 2002

AQSIQ (2002) Notice No. 888 delays implementation of AQSIQ (2002) Announcement 31 (CH2061) until June 30, 2003. This report also includes an UNOFFICIAL translation of the certificate that is supposed to accompany all aquatic product imports by June 30, 2003.

Forestry Law - CH1054

Translated version: April 29, 1998

The Law governs the use of land and materials in forest areas for shelter forests, timber forests, economic forests, firewood forests, and forests for special use. The Law also provides for forest management and administration, forest protection, tree planting and afforestation, and measures for sanctions. The State Forestry Administration under the State Council has statutory authority over this law.

Quarantine Requirements for Logs - CH1062

Translated version: February 6, 2001

WTO Announcement: G/SPS/N/CHN/P/122

AQSIQ, SFA, and MOFCOM joint circular number 2 requires pest-free phytosanitary certification and treatment on all log imports with or without bark. The State Administration for Quality Supervision, Inspection, and Quarantine (AQSIQ) has statutory authority over the import and export of logs.

Entry Wood Packing Materials – CH5014

Translated version: January 31, 2005

AQSIQ, Customs, MOFCOM, and SFA published this as Joint Announcement 2005 No. 11 entailing the requirements of entry wood packing material. The new regulations are scheduled to take effect on January 1, 2006. A draft of the decree was first circulated for comments on December 8, 2003 through the World Trade Organization, see announcement G/SPS/N/CHN/42. Article 2 of these final measures indicates AQSIQ will separately announce the phytosanitary treatment measures.

*** Grain and Feed***** DRAFTED Hygienic Standards for Grains – CH4068**

WTO Announcement: G/SPS/N/CHN/52 from February 13, 2004

Translated version: February 13, 2004

This DRAFTED Standard, GB2715, provides the definitions and tolerances for pesticides, harmful and chemical elements, etc. for cereal grains, beans, and potatoes. China's SPS Enquiry Point has not indicated whether this Standard was adopted nor implemented. Until such time, China's previous Standard for Grains from 2002 remains in force.

DRAFTED Hygienic Standard for Corn Sweetener - CH3114

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB15203, to solicit comments.

DRAFTED Hygienic Standard for Starch Products - CH3101

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2713, to solicit comments.

DRAFTED Maximum Levels of Deoxynivalenol in Wheat and Corn - CH3032

WTO Announcement: G/SPS/N/CHN/38 from October 24, 2003

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB16369, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

Administrative Measures for Exit-Entry Inspection and Quarantine of Grain and Feed Stuff - CH2003

Translated version: November 21, 2001

This Regulation is Ordinance Number Seven (7), the *Grain and Feed Import and Export Regulations*, issued by the State Administration for Quality Supervision, Inspection, and Quarantine of the People's Republic of China (AQSIQ). AQSIQ is the national-level supervisory authority for the China Inspection and Quarantine (CIQ) offices. AQSIQ ratified these regulations on November 21, 2001. This Ordinance shall be effective from March 1, 2002.

Imported Feed and Feed Additive Registration Regulation - CH1057

Translated version: August 17, 2000

This regulation is designed to protect animal safety and strengthen supervision of imported feed and feed additives. Foreign feed and feed additive enterprises and products must be registered prior to selling products in the People's Republic of China. This regulation details the application procedure for registration. The Ministry of Agriculture has statutory authority over this regulation.

*** Horticultural and Tropical Products**

***AQSIQ 2004 Decree 68, the Administrative Measures of Inspection, Quarantine, and Supervision of Entry Fruit – CH5004**

Translated version: December 24, 2004

WTO Announcement: G/SPS/N/CHN/80

AQSIQ notified these DRAFTED Measures on Entry Fruit. The Measures will replace AQSIQ (1999) No. 12, mentioned below, when fully adopted. This report contains an UNOFFICIAL translation of the Measures that include new requirements for product labeling along with additional certification for product re-exported to China via other port areas; including Hong Kong.

Fruit Entry Quarantine Regulation - CH1058

Translated version: December 9, 1999

WTO Announcement: G/SPS/N/CHN/P/113

This Regulation, AQSIQ (1999) No. 12 applies to imported fresh fruits and tomatoes, eggplants, and the genus *Capsicum* and relevant packaging. The Regulation details the quarantine application, quarantine inspection, and quarantine supervision procedures for importers of the above-mentioned items. The State Administration for Entry-Exit Inspection and Quarantine (CIQ) has now merged with the State Administration for Quality Supervision, Inspection, and Quarantine (AQSIQ). Provincial level offices or port CIQ's have not completed this merger. AQSIQ and the port CIQ have statutory responsibility for this regulation.

DRAFTED Hygienic Standard for Dried Fruit - CH3084

WTO Announcement: G/SPS/N/CHN/74 from April 21, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB16325, to solicit comments.

DRAFTED Hygienic Standard for Preserved Fruit - CH3088

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14884, to solicit comments.

DRAFTED Hygienic Standard for Honey - CH3106

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14963, to solicit comments.

DRAFTED Hygienic Standard for Sugars – CH4007

WTO Announcement: G/SPS/N/CHN/49 from February 13, 2004

Translated version: February 13, 2004

The DRAFTED Standard, GB13104, was published and notified to the WTO. A final approved version is not available, therefore all previous version cited in this report remain in force.

DRAFTED Maximum Levels of Patulin in Apple and Hawthorn Products - CH3039

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB14974, to solicit comments.

DRAFTED Hygienic Standard for Nuts - CH3087

WTO Announcement: G/SPS/N/CHN/75 from April 21, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB16326, to solicit comments.

DRAFTED Hygienic Standard for Roasted Nuts - CH3090

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments.

*** Processed Products**

DRAFTED Hygienic Standard for Biscuits/Cookies - CH3105

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB7100, to solicit comments.

DRAFTED Hygienic Standard for Breakfast Cereal - CH3107

WTO Announcement: G/SPS/N/CHN/62 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

*** DRAFTED Hygienic Standard for Puffed Foods – CH3103**

Translated version: August 2002

China's Ministry of Health published this DRAFTED Standard, GB17401, to solicit comments.

*** DRAFTED Hygienic Standard for Pastry and Bread – CH3104**

Translated version: August 2002

China's Ministry of Health published this DRAFTED Standard, GB7099, to solicit comments.

*** DRAFTED Hygienic Standard for Soy Sauce – CH3102**

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2717, to solicit comments.

DRAFTED Hygienic Standard for Canned Fruits and Vegetables - CH3077

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB11671, to solicit comments.

DRAFTED Hygienic Standard for Preserved Vegetables - CH3089

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2714, to solicit comments.

DRAFTED Hygienic Standard for Canned Edible Fungi - CH3108

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB7098, to solicit comments.

DRAFTED Hygienic Standard for Candy - CH3076

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB9678.1, to solicit comments.

DRAFTED Hygienic Standard for Chewing Gum - CH3079

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB17399, to solicit comments.

DRAFTED Hygienic Standard for Chocolate - CH3080

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB9678.2, to solicit comments.

DRAFTED Hygienic Standard for Jellies - CH3085

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments.

DRAFTED Hygienic Standard for Foods for Frying - CH3116

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB16565, to solicit comments.

*** DRAFTED Hygienic Standard for Quick Frozen and Pre-Packaged Foods Made of Wheat Flour and Rice – CH3100**

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments.

Administration Regulation for Health Food - CH1050

Translated version: June 1, 1996.

This MOH regulation provides the administration regulations for the examination and approval, production, marketing, and supervision of the health (functional) food industry. Several articles address specific approvals and requirements for imported health (functional) foods. MOH has the statutory authority responsible for monitoring this regulation.

Health Food Standard - CH1049

Translated version: February 28, 1997

This MOH Health Food National Standard (GB16740-1997) provides guidelines for the manufacturing, labeling, and hygiene of the health (functional) food industry in China. The Standard provides some specific requirements for imported health (functional) foods for the Chinese domestic market. The State Council delegated MOH statutory authority for this regulation.

"Wholesome" Food Administration Regulation - CH2032

Translated version: April 29, 2002

MOA and AQSIQ jointly announced 2002 Decree No. 12 that applies to the domestic production of "Wholesome Agricultural Products." The measures provide guidelines in determining production management, certification and testing of products and production areas, "wholesome" product labeling, and monitoring management or enforcement of these administrative measures. These voluntary measures differ from "Organic" and "Green Food" (see CH 1072 and CH1059) standards. "Green Food" and "Organic" standards are considered more stringent labels than "Wholesome." The purpose for all three measures and standards is to regulate or reduce agro-chemical inputs, such as pesticides and fertilizers.

"Green Food" Standard - CH1059

Translated version: October 1997

"Green Food," a term similar but different in meaning to "Organic Food," is under the scope of this standard. The Standards are published in a handbook that provides for the appropriate classification, use, and requirements for food products to be labeled "Green Food" and sold on the domestic market. The Standard specifies the environment, fertilizers, pesticides, and other chemicals and the respective dosages that can be used on foods and carry the green food label. MOA has statutory authority for this Standard.

DRAFTED Hygienic Standard for Concentrated Fruit and Vegetable Juice for the Food Industry - CH3075

WTO Announcement: G/SPS/N/CHN/59 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB17325, to solicit comments.

DRAFTED Hygienic Standard for Fruit and Vegetable Juice - CH3074

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments.

DRAFTED Hygienic Standard for Fermented Alcoholic Beverages - CH3054

WTO Announcement: G/SPS/N/CHN/69 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2758, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Distilled Spirits - CH3053

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2757, to solicit comments.

Hygienic Standard for Edible Alcohols - CH3059

Translated version: February 13, 2003

The Standard, GB10343-2002, was published in the China Food Newspaper after being approved by China's Ministry of Health.

DRAFTED Hygienic Standard for Bottled Potable Water - CH3071

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments.

DRAFTED Hygienic Standard for Bottled Purified Potable Water - CH3072

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB17324, to solicit comments.

DRAFTED Hygienic Standard for Cocoa Powder Based Solid Drinks - CH3081

WTO Announcement: G/SPS/N/CHN/71 from February 13, 2004

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GBXXXX, to solicit comments. The Standard was subsequently notified to the WTO. This translation is based on the initial Ministry of Health announcement. A final version has not been adopted and any previous measures cited in this Standard remain in force.

DRAFTED Hygienic Standard for Frozen Drinks - CH3069

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2759.1, to solicit comments.

DRAFTED Hygienic Standard for Solid Beverages - CH3068

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB7101, to solicit comments.

DRAFTED Hygienic Standard for Vegetable Protein Beverages - CH3073

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB16322, to solicit comments.

DRAFTED Hygienic Standard for Carbonated Drinks - CH3055

Translated version: August 2002

China's Ministry of Health published this DRAFT Standard, GB2759.2, to solicit comments.

Soft Drink Classification Standard - CH1061

Translated version: December 17, 1996

This standard establishes classifications for the following beverage drinks that are produced or marketed in China: carbonated drinks, fruit juices (pulp) and drinks, vegetable juice and drinks, drinks containing milk, vegetable protein drinks, bottled water, tea drinks, powdered drinks, specific drinks, and other drinks. The standard conforms to CODEX requirements.

VII. Copyright and/or Trademark Laws

Copyrights, Trademarks, and Patents - CH2049

Version: October 10, 2002

The document provides Internet site addresses to view UNOFFICIAL translations of the Copyright Law, Copyright Law Implementation Regulations, Trademark Law, Trademark Law Enforcement Measures, Patent Law, and Patent Law Administrative Enforcement Measures.

* Protecting U.S. Food and Ag. Intellectual Property Rights in China – CH5035

FAS China: May 6, 2005

Though China strengthened its legal framework and amended its intellectual property rights (IPR) laws and regulations to comply with its WTO Agreements, IPR infringements of U.S. agriculture and food products remain a serious problem. In this report FAS China offers ways to strengthen protection of U.S. patents, trademarks, copyrights, plant varieties, geographical indicators, food labels, and other IPR in China and third-country markets.

* VIII. Import Procedures

FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

Exporters of U.S. food and agricultural products may contact the offices listed under Section One of this report or the U.S. Department of Agriculture Foreign Agriculture Service Home Office Directory of Cooperators (www.fas.usda.gov/scripts/mos/HomeOffResults.asp?Div=ALL) for additional clarification or assistance.

* Annual Exporter Guide – CH4824

ATO Shanghai: October 20, 2004

This report provides an overview of the China market along with exporter business tips, analysis of market sector structure and trends, information on best high-value product prospects, contact information for importer assistance, and statistics on agricultural trade.

China's imports of agricultural, fisheries, and forestry products continue climbing as China's processing sector demand for both re-export and domestic markets continues growing.

Additionally, imports of processed and ready-to-eat foods and beverages are making steady ground as incomes grow and wealthier consumers willingness to try new products expands.